IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

THURSDAY, THE 6TH DECEMBER 2007 / 15TH AGRAHAYANA 1929

WP(C).No. 36072 of 2007(T)

OS.829/2005 of II ADDL.M.C., ERNAKULAM
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PETITIONER:

E.J.SIMON, S/O. JOSEPH, AGED 58 YEARS,
RESIDING AT ELENJICKAL HOUSE, CC-44/1174,
PUTHIYAROAD, KALOOR DESOM, ELAMKULAM VILLAGE,
KANAYANNOOR TALUK, COCHIN-17.

BY ADV. SRI.SHAJI P.CHALY

RESPONDENTS:

M/S. TRACO CABLES LTD.,
A COMPANY INCORPORATED UNDER THE INDIAN COMPANIES
ACT HAVING ITS HEAD OFFICE AND REGISTERED OFFICE
AT ERNAKULAM NORTH, THIRUVAMKULAM VILLAGE,
KANAYANNOOR TALUK, REPRESENTED BY ITS
MANAGING DIRECTOR.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

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W.P.C. NO. 36072 OF 2007

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Dated this the 6th day of December, 2007.

J U D G M E N T

This writ petition is filed with a prayer for issuance of a carbon copy of the judgment in O.S.829/05 and for a direction to the respondent to maintain the status quo as ordered in Ext.P4 till the issuance of a carbon copy of the judgment. It appears the suit relates to a right of way and its obstruction. The suit stands dismissed and the plaintiff wants to proceed further in appeal and requested for issuance of carbon coy of the judgment. He has moved an application in the right direction and therefore I direct the Court below to issue carbon copy of the judgment as expeditiously as possible not later than a period of seven days from today. I also permit the petitioner herein to move an application for interim arrangement as he has drawn my attention to the order of the Addl. District Judge, Ernakulam in CMA 126/05 where the learned Judge directed the parties

to maintain the status quo as on the date of Commissioner's inspection on 13.6.05 till the disposal of the suit. When such an application is filed, the Court below is directed to consider the same and pass appropriate orders at the earliest.

The writ petition is disposed of accordingly.

M.N. KRISHNAN, JUDGE.

ul/-